

RECEIVED

SEP 27 2002

TECH CENTER 1600/2900 # 7

CASE PD0873Q4



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Farah J. Munayyer et al.

Serial No.: 09/899,764

Examiner: R. Raymond

Filed: July 5, 2001

Group Art Unit: 1624

Title: STABILIZED ANTIHISTAMINE SYRUP

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

RESPONSE

In response to the Office Action mailed on September 6, 2002 for the subject application, enclosed is a terminal disclaimer over commonly owned U.S. Patent 6,132,758 of which this application is a divisional. Applicants do not agree that the present claims are rendered obvious by the patent, since the respective claims do not pertain to the same active drug substances (which substances will not necessarily have the same chemical reactions), but the disclaimer will remove the sole remaining issue and thereby accelerate prosecution.

In view of the disclaimer, all of pending claims 1, 6-12 and 23-34 are considered to be allowable, and an early notice of allowability is respectfully solicited.

If any further minor matters remain to be resolved for disposition of the application, please contact the undersigned by telephone or facsimile to arrange for a telephonic or personal interview.

Respectfully submitted,

A handwritten signature in cursive script, reading "Robert A. Franks". The signature is fluid and stylized, with the first name "Robert" being more prominent than the last name "Franks".

Robert A. Franks
Attorney for Applicants
Registration No. 28,605

Patent Department K-6-1, 1990
Schering-Plough Corporation
2000 Galloping Hill Road
Kenilworth, New Jersey 07033-0530
Telephone (908) 298-2908
Facsimile (908) 298-5388